

Exhibit B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KIMETRA BRICE, EARL BROWNE,
and JILL NOVOROT,

Plaintiffs,

v.

Case No.: 3:19-cv-01481-WHO

MIKE STINSON; LINDA STINSON; THE
STINSON 2009 GRANTOR RETAINED
ANNUITY TRUST; 7HBF NO. 2, LTD.;
SEQUOIA CAPITAL OPERATIONS, LLC;
SEQUOIA CAPITAL FRANCHISE
PARTNERS, L.P.; SEQUOIA CAPITAL IX,
L.P.; SEQUOIA CAPITAL GROWTH FUND
III, L.P.; SEQUOIA ENTREPRENEURS
ANNEX FUND, L.P.; SEQUOIA CAPITAL
GROWTH III PRINCIPALS FUND, LLC;
SEQUOIA CAPITAL FRANCHISE FUND,
L.P.; SEQUOIA CAPITAL GROWTH
PARTNERS III, LP.; STARTUP CAPITAL
VENTURES, L.P.; STEPHEN J. SHAPER;

Defendants.

KIMETRA BRICE, EARL BROWNE,
and JILL NOVOROT,

Plaintiffs,

v.

Case No.: 3:18-cv-01200-WHO

KENNETH REES, GPL SERVICING, LTD.,
PLAIN GREEN, LLC, GREAT PLAINS
LENDING, LLC, VICTORY PARK CAPITAL
ADVISORS, LLC, VICTORY PARK
MANAGEMENT, LLC, SCOTT ZEMNICK,
JEFFREY SCHNEIDER, THOMAS WELCH,
HAYNES INVESTMENTS, LLC, and
L.STEPHEN HAYNES,

Defendants.

DECLARATION OF RSM US LLP

1 My name is Ritesh Patel. I am a resident of the Commonwealth of Pennsylvania. I am over
 2 the age of eighteen (18) years and am competent to make this declaration. The statements set forth in
 3 this declaration are based upon my personal knowledge.

4 1. I am employed by RSM US LLP ("RSM") as a Manager in the Class Action Claims
 5 Administration practice. I have held this position for 3 years.

6 2. RSM was appointed settlement administrator in the nationwide class action
 7 settlements in the Bankruptcy Court for the Northern District of Texas (Think Finance bankruptcy),
 8 in *In re Think Finance, LLC*, Case No. 17-33964 and *Gibbs, et al. v. Plain Green, LLC, et al.*, Case
 9 No. 3:17-cv-495 (E.D. Va.). These two settlements also resolved the case brought by the Consumer
 10 Financial Protection Bureau and Attorney General for the Commonwealth of Pennsylvania.

11 3. As part of these settlements, we were provided custody of consumer-level account
 12 data from Think Finance for loans made to consumers in the names of Great Plains Lending LLC,
 13 Plain Green LLC, MobiLoans LLC, and the First Bank of Delaware. RSM was provided with loan
 14 data consisting of 1,877,050 loans for 1,045,248 consumers.

15 4. The following is a summary of the information in this data, which we have made
 16 pursuant to Fed. R. Evid. 1006. It includes 463,766 loans from Great Plains Lending LLC
 17 representing 255,845 consumers, 1,011,184 loans from Plain Green LLC representing 510,062
 18 consumers, 366,668 loans from MobiLoans LLC representing 366,668 consumers and 35,432 loans
 19 from First Bank of Delaware representing 22,378 consumers. Each consumer may have one or more
 20 loans with multiple lenders. Therefore, the population of consumers listed for each lender may
 21 include the same consumer who borrowed from more than one lender.

22 5. Each loan account set includes the following data fields: Consumer Name, Consumer
 23 Email Address, Consumer Phone Number(s), Current Address, Social Security Number, Loan
 24 Number, Legacy Loan Number, Application State, Loan Origination State, Funded Date, Funded
 25
 26
 27
 28

1 Amount, Paid Amount, Pay Off Date, Charge Off Date, Sold Date, Collection Indicator, Current
 2 Alleged Outstanding Balance, Charge Off Amount, Balance When Sold Third Party, Third Party
 3 Sold To, Fees Assessed (MobiLoans) or Interest Paid (all other lenders), and Interest Rate Used.

4 6. Upon receipt of this data, it was our responsibility as the appointed agent of the
 5 parties and the Court to analyze, review and confirm the integrity of the data provided as well as to
 6 reasonably calculate an approximate payment for each member of the Class, based on the data and
 7 fields of information made available to RSM. We did all of this in the regular conduct of RSM's
 8 business and as the appointed agent for Think Finance, the Litigation Trust trustee, the Texas
 9 bankruptcy Court and the United States District Court for the Eastern District of Virginia.
 10

11 7. RSM has recently been appointed settlement administrator in two additional
 12 nationwide settlements related to the Think Finance litigation in the United States District Court for
 13 the Eastern District of Virginia. Those cases are: *Gibbs v. Rees*, Case No. 3:20-cv-717 (E.D. Va.)
 14 and *Gibbs v. TCV V, LP*, Case No. 3:19-cv-789 (E.D. Va.). In these cases, in accordance with the
 15 settlement, all parties agreed that the data previously provided by Think Finance was correct and for
 16 its use in administering the settlement.
 17

18 8. Pursuant to Fed. R. Evid. 1006, we have also been asked to summarize this data
 19 pursuant pertaining to California class members. Our summary of the data pertaining to California
 20 class members is as follows.

21 9. There are 224,007 loans where the consumer resided in California at the time of the
 22 origination. Of those:

23 53,412 are from Great Plains Lending;
 24 121,616 are from Plain Green prior to June 1, 2016; and
 25 48,979 are a cash advance prior to May 6, 2017 pursuant to a line of credit from
 26 MobiLoans.

27 10. The data contains 125,375 unique consumers who meet these requirements
 28 ("California Consumers"). California Consumers paid a total of \$466,355,891.19. By loan product,

1 \$75,009,501.42 was collected on a Great Plains Lending loan; \$197,491,804.99 was collected on a
2 Plain Green loan prior to June 1, 2016; and \$193,854,584.78 paid based on a cash advance prior to
3 May 6, 2017 pursuant to a line of credit from MobiLoans.

4 11. California Consumers paid a total of \$175,991,374.00 in interest over 10% interest.
5 This represents 157,471 loans, and 80,497 unique California Consumers. This was calculated by
6 searching for loans where the amount paid less the amount borrowed is greater than 10% interest on
7 the amount borrowed for the life of the loan. Broken down by loan product, \$33,739,272.00 was
8 collected over 10% interest on a Great Plains Lending loan, on a total of 38,630 loans;
9 \$78,982,488.30 was collected over 10% interest on a Plain Green loan prior to June 1, 2016 on a
10 total of 89,281 loans; and \$63,269,613.70 was paid over a 10% interest rate based on 29,560 cash
11 advances prior to May 6, 2017 pursuant to a line of credit from MobiLoans.
12

13 12. The Think Finance data indicates that Plaintiff Kimetra Brice took out a loan from
14 Great Plains Lending on November 30, 2016 in the amount of \$1,200.00. The records indicate she
15 paid a total of \$115.66 over 10% interest rate and a total of \$44.02 over 20% interest rate.
16

17 13. The Think Finance data indicates that Plaintiff Earl Browne took out six loans as
18 follows:

- 19 a. One loan from MobiLoans on August 4, 2015 in the amount of \$1,000.00. The
20 records indicate he paid a total of \$354.21 over 10% interest rate and a total of
21 \$282.43 over 20% interest rate.
22
23 b. One loan from Great Plains Lending on August 24, 2015 in the amount of \$600.00.
24 Plaintiff Browne made payments on the loan until September 4, 2015. The records
25 indicate he paid a total of \$71.99 over 10% interest rate and a total of \$70.01 over
26 20% interest rate.
27
28

- c. One loan from Great Plains Lending on September 5, 2015 in the amount of \$900.00. Plaintiff Browne made payments on the loan until August 2, 2016. The records indicate he paid a total of \$1,937.10 over 10% interest rate and a total of \$1,855.11 over 20% interest rate.
- d. One loan from Plain Green on October 8, 2015 in the amount of \$500.00. Plaintiff Browne made payments on the loan until November 26, 2015. The records indicate he paid a total of \$214.46 over 10% interest rate and a total of \$207.61 over 20% interest rate.
- e. One loan from Plain Green on November 27, 2015 in the amount of \$1,200.00. Plaintiff Browne made payments on the loan until May 19, 2016. The records indicate he paid a total of \$434.22 over 10% interest rate and a total of \$376.74 over 20% interest rate.
- f. One loan from Great Plains Lending on August 2, 2016 in the amount of \$2,000.00. Plaintiff Browne made payments on the loan until October 11, 2017. The records indicate he paid a total of \$1,877.54 over 10% interest rate and a total of \$1,627.34 over 20% interest rate.

14. The Think Finance data indicates that Plaintiff Jill Novorot took out eight loans from as follows:

- a. One loan from Plain Green on October 16, 2012 in the amount of \$250.00. Plaintiff Novorot made payments on the loan until January 3, 2013. The records indicate she paid a total of \$157.33 over 10% interest rate and a total of \$151.85 over 20% interest rate.
- b. One loan from Plain Green on January 3, 2013 in the amount of \$1,000.00. Plaintiff Novorot made payments on the loan until July 13, 2013. The records indicate she paid

1 a total of \$1,335.96 over 10% interest rate and a total of \$1,283.46 over 20% interest
2 rate.

3 c. One loan from Plain Green on July 13, 2013 in the amount of \$1,200.00. Plaintiff
4 Novorot made payments on the loan until April 29, 2014. The records indicate she
5 paid a total of \$2,492.62 over 10% interest rate and a total of \$2,397.10 over 20%
6 interest rate.

7
8 d. One loan from Plain Green on July 3, 2014 in the amount of \$1,400.00. Plaintiff
9 Novorot made payments on the loan until December 21, 2015. The records indicate
10 she paid a total of \$3,788.33 over 10% interest rate and a total of \$3,562.79 over 20%
11 interest rate.

12 e. One loan from Great Plains Lending on September 15, 2015 in the amount of
13 \$400.00. Plaintiff Novorot made payments on the loan until January 8, 2016. The
14 records indicate she paid a total of \$330.09 over 10% interest rate and a total of
15 \$317.41 over 20% interest rate.

16
17 f. One loan from Plain Green on December 28, 2015 in the amount of \$800.00. Plaintiff
18 Novorot made payments on the loan until May 31, 2016. The records indicate she
19 paid a total of \$406.64 over 10% interest rate and a total of \$372.48 over 20% interest
20 rate.

21 g. One loan from Great Plains Lending on February 16, 2016 in the amount of \$400.00.
22 Plaintiff Novorot made payments on the loan until June 17, 2016. The records
23 indicate she paid a total of \$331.46 over 10% interest rate and a total of \$317.98 over
24 20% interest rate.
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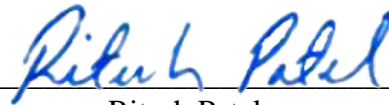
1 h. One loan from Great Plains Lending on September 21, 2016 in the amount of
2 \$1,300.00. The records indicate she paid a total of \$3,246.73 over 10% interest rate
3 and a total of \$3,022.42 over 20% interest rate.

4 15. If authorized and requested, we could determine from the loan data the identities and
5 amounts paid in excess of 10% or 20% made by each consumer who obtained their loan in
6 California.

7 16. We have data like the data above for California consumers, and for consumers in all
8 of the 50 states.

9 17. If necessary, we could calculate the data in paragraph 11 for any other state based on
10 any interest rate.

11 I declare under penalty of perjury of the laws of the United States that the foregoing is correct.
12 Signed this 21st day of January, 2021.

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15 Ritesh Patel
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